

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 00-6273-CR-HUCK

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CLERK OF COURT
S.D. FLA. - MIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARIEL HERNANDEZ, et al.,

Defendant,

**REQUEST FOR SPECIFIC BRADY MATERIAL AND MEMORANDUM OF LAW
AND FOR IMMEDIATE DISCLOSURE**

THE DEFENDANT, **ARIEL HERNADEZ**, by and through the undersigned counsel, respectfully adopts the similarly titled Motion and Memorandum of Law filed on behalf of Defendant, Massaro, and would further move for entry of an order requiring the Government to disclose and provide the following specific information and materials:

1. Any information in possession of State or Federal LEO concerning threats made against Ariel Hernandez.
2. The existence and identity of any experts the Government has consulted but does not intend to use.
3. The existence and identity of any experts the Government has consulted as to the cause of death that indicates the death of Jeannette Smith was not a homicide.
4. The existence and identity of any experts the Government has consulted as to the cause of death that indicates the place of death of Jeannette Smith.
5. The existence of any psychological autopsy
6. Whether or not a psychological profile was made or attempted to be made
7. Any evidence indicating that within 72 hours of death, Jeannette Smith had sexual relations with:
 - a. Any Defendant;
 - b. Any person other than the Ariel Hernandez.

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8. Any information that Jeannette Smith was ever paid money or received any other benefits to provide sexual services or female companionship.

9. Any information as to the relationship between Ariel Hernandez and Jeannette Smith, including:

- a. How they met
- b. The length of the relationship
- c. The nature of the relationship

10. Any information as to the existence of any relationship between Jeannette Smith and any indicted Defendant other than Ariel Hernandez.

11. The existence of any information that any defendant committed an offense on behalf of the alleged Organized Crime Family, which is known to the Government and not charged in the Indictment.

12. The existence of any information that the alleged relationship and/or contact(s) between Ariel Hernandez and Jeannette Smith was not related to any activities, criminal or otherwise, by any of the co-defendants or La Cosa Nostra or any Organized Crime Family or Crew.

13. The existence of any information that the alleged relationship and/or contact(s) between Ariel Hernandez and Jeannette Smith was for sexual purposes, whether or not paid or gratuitous.

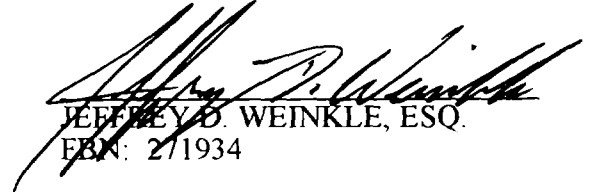
14. Any information provided by a confidential source indicating the lack of culpability of Ariel Hernandez.

The undersigned has attempted to contact AUSA Jeffrey Sloman and AUSA Larry Levicchio regarding the Government's position with regard to this Motion, however, neither was available for comment.

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WHEREFORE, the Defendant respectfully moves this Honorable Court to Order the Government provide the favorable information sought herein.

Respectfully submitted,


JEFFREY D. WEINKLE, ESQ.
EBN: 271934

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed/delivered this

2nd day of March, 2001 to: United States Attorney's Office, AUSA LARRY

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